

# Exhibit D

**FOX ROTHSCHILD LLP**

CHRISTINE F. MARKS (024631990)  
JOSEPH J. DiPASQUALE (016191994)  
KIERAN T. ENSOR (305662019)  
49 Market Street  
Morristown, New Jersey 07960-5122  
Telephone: 973.992.4800  
Facsimile: 973.992.9125  
[CMarks@FoxRothschild.com](mailto:CMarks@FoxRothschild.com)  
[JDipasquale@FoxRothschild.com](mailto:JDipasquale@FoxRothschild.com)  
[KEnsor@FoxRothschild.com](mailto:KEnsor@FoxRothschild.com)

**LAW OFFICES OF TIMOTHY KEBBE**

TIMOTHY P. KEBBE (Pro Hac Vice Pending)  
245 Saw Mill River Road, Suite 106  
Hawthorne, New York 10532  
Phone 914.733.7745  
[tkebbe@kebbelaw.com](mailto:tkebbe@kebbelaw.com)

*Attorneys for Plaintiff, Legal Bay LLC*

LEGAL BAY LLC,

Plaintiff,

vs.

MUSTANG FUNDING, LLC, MUSTANG  
SPECIALTY FUNDING I, LLC, MUSTANG  
SPECIALTY FUNDING II, LLC, JAMES  
BELTZ and KEVIN CAVANAUGH,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
ESSEX COUNTY – CHANCERY DIVISION

Civil Action

Docket No.: ESX-C-86-22

**CERTIFICATION OF  
DILIGENT INQUIRY AND  
PERSONAL SERVICE UPON  
DEFENDANT KEVIN CAVANAUGH**

**KIERAN T. ENSOR, ESQ.**, of full age, hereby states as follows:

1. I am an attorney-at-law of the State of New Jersey and an associate with the law firm of Fox Rothschild, LLP, attorneys for Plaintiff, Legal Bay, LLC (“Legal Bay”). This certification is made based upon my personal knowledge, pursuant to Rule 4:4-4(b)(1)(A), to

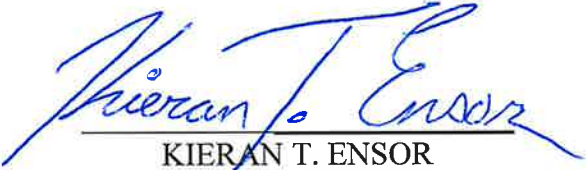
effectuate service of Legal Bay's Verified Complaint and Summons on Defendant Kevin Cavanaugh ("Cavanaugh").

2. From years of ongoing business relationships, Legal Bay was personally aware that Cavanaugh did not have a personal residence in New Jersey.

3. Based upon further investigation, it was confirmed that Cavanaugh is an individual who had a residential address of 1924 Irving Avenue South, Minneapolis, Minnesota, and has a work address of Suite 250, 701 Lake Street East, Wayzata, Minnesota.

4. Pursuant to Rule 4:4-4(b)(1)(A), Cavanaugh was personally served a copy of the Summons and Verified Complaint on May 23, 2022, at 11:50 a.m. at Suite 250, 701 Lake Street East, Wayzata, Minnesota. A true and correct copy of the Affidavit of Service is annexed hereto as **Exhibit A**.

I hereby certify that the foregoing statements made by me are true. I understand that if any of the foregoing statements made by me are willingly false, I am subject to punishment.



KIERAN T. ENSOR

Dated: June 8, 2022

# Exhibit A

State of New Jersey

SUPERIOR COURT

County of Essex

Legal Bay LLC

Court File Number

Plaintiff,

ESX-C-000086-22

vs.

Mustang Funding, LLC, et al.

Defendant,

Affidavit of Service

State of Minnesota

County of Hennepin

Neil Hanson, being duly sworn, on oath says that on Monday, May 23, 2022 at 11:50 AM he served the Summons, Complaint, & Exhibits upon Kevin Cavanaugh, therein named, personally at Suite 250, 701 East Lake Street, Wayzata, MN 55391, by handing to and leaving with Kevin Cavanaugh, a true and correct copy thereof.

*Neil Hanson*

5/23/2022

Neil Hanson, Process Server

Subscribed and Sworn to before me on

5/23/2022

*[Signature]*

(Signature of Notary)



\*2538942 - 4\*